



Montana Department of  
**ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

P. O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

August 9, 2007

**RECEIVED**

RAVALLI COUNTY  
215 SOUTH 4TH, SUITE A  
HAMILTON MT 59840-2853

**AUG 14 2007**

Ravalli County Commissioners

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**RE: Notice of Public Hearing and Opportunity to Comment on Proposed Amendments to Public Water Supply Rules**

Dear Interested Party:

At the request of the Department of Environmental Quality, the Board of Environmental Review is proposing the following rulemaking pertaining to public water supplies and public wastewater systems:

1. Adopt new engineering plan and specification review fees;
2. Adopt new community and non-community water supply well expedited review check lists; and
3. Amend existing rules for clarification and standardization.

**LIST OF AFFECTED RULES - ARM 17.38.101 and 106.**

**AFFECTED PARTIES SUMMARY** – Owners/operators of all public water supply and public sewage systems may be effected by this rule making. Examples of these systems include cities, towns, water and sewer districts, subdivisions, mobile home parks, bars, restaurants, campgrounds, and schools.

**BACKGROUND** – In general, the major intent for this rule writing effort is to amend the Department's engineering review fee schedule to meet the legislature's intent of collecting fees commensurate with the cost of conducting those reviews. Legislative audits have shown that the Department is not currently recovering those costs. In 2005, the Department adjusted the fee schedule to collect commensurate costs, and although the changes helped, the Department is still experiencing a revenue shortage. The proposed changes include increases in line item fees, new line item fees, and removal of the "maximum hourly fee" for re-review of previously denied plans and specifications. The Department is also proposing to adopt new expedited checklists for review of community and non-community water supply wells. These proposed expedited checklists will significantly reduce the amount of time for the applicant's completion of engineering plans and specifications as well as the time required for the Department's review of those plans and specifications.

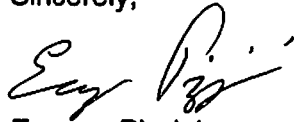
Other proposed amendments include clarification of existing rules regarding payment of fees and receipt of final department approval, clarification of definitions to conform with Montana statute, deletion of a duplicative reference and house keeping changes to conform to formatting standards of the Secretary of State.

**HEARING AND COMMENT INFORMATION** – A public hearing is scheduled for 10:00 a.m., August 30, 2007, in Room 111, Metcalf Building, 1520 East Sixth Avenue, Helena, Montana. Written or oral comments may be submitted at the hearing. Written comments on the proposed rule package may also be submitted to the Board of Environmental Review, P.O. Box 200901, Helena, MT, 59620-0901, or faxed to 406-444-4386, or emailed to the Board Secretary at [ber@mt.gov](mailto:ber@mt.gov), no later than 5:00 p.m. on September 6, 2007. To guarantee consideration, mailed comments must be postmarked no later than September 6, 2007.

**Complete Rule Package** – A complete copy of the Proposed Rule Package is included with this notice.

In addition, interested parties may find an electronic copy of the complete Proposed Rule Package, MAR Notice No. 17-190, on the Internet at <http://www.deq.mt.gov/dir/legal/hearing.asp>.

Sincerely,



Eugene Pizzini  
Rule Expert & Coordinator  
Public Water and Subdivision Bureau